

**ASSEMBLY BILL**

**No. 2045**

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**Introduced by Assembly Member Hayashi**

February 17, 2010

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An act to amend Section 9656 of the Business and Professions Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

AB 2045, as introduced, Hayashi. Cemeteries.

Existing law, the Cemetery Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties, including, but not limited to, licensing and regulating cemetery managers, salespersons, and brokers. Existing law requires the bureau to examine the endowment care funds of cemetery authorities, as specified.

This bill would make technical, nonsubstantive changes to a provision of the Cemetery Act related to endowment care funds.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 9656 of the Business and Professions
- 2 Code is amended to read:
- 3 9656. ~~Whenever~~ If the bureau finds, after notice and hearing,
- 4 that any endowment care funds have been invested in violation of
- 5 the *provisions of the* Health and Safety Code, ~~it the~~ bureau shall
- 6 by written order mailed to the person or body in charge of the fund
- 7 require the reinvestment of the funds in conformity to that code

1 within a period~~which~~ *that* shall be not less than two years if the  
2 investment was made prior to October 1, 1949, not less than six  
3 months if the investment was made on or after October 1, 1949,  
4 and before the effective date of the amendment of this section by  
5 the 1969 Regular Session of the Legislature, and not less than 30  
6 days if the investment is made on or after the effective date of the  
7 amendment. The period may be extended by the bureau in its  
8 discretion.